IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO.444 OF 2005
IN
NOTICE OF MOTION NO.725 OF 2005
IN
SUIT NO.3552 OF 2004

Anil Rao & ors. Appellants
vs.
Papeyon Developers Pvt.Ltd. & ors. Respondents

Mr.Pradeep Sancheti with Mr.Jaideep Mitra i/b.
M/s.Desai & Chinoy for the appellants.

Mr.Virendra Tulzapurkar with Mr.P.K.Samdani & Mr.Parimal Shroff i/b. M/s.Shroff & Co. for the respondent no.1.

Mr.Denzil D'mello for the respondent no.3.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 13th June 2005

P.C.

Heard.

2. In our considered view, it would be proper if the learned motion Judge hears and decides the Notice of Motion No.3749/2004 and Notice of Motion No.725/2005 expeditiously. We are informed that the notices of motion of the years 2003 and 2004, as per the existing assignment, are assigned to one learned Judge and the notices of motion of the year 2005 are assigned to the other learned Judge. Any of the parties may move the

Hon'ble Chief Justice for hearing of Notice of Motion No.3749/2004 and Notice of Motion No.725/2005 by one of the learned Judges of this Court and upon both the notices of motions being assigned to one learned Judge of this Court, liberty to the parties to apply to the learned Judge for expeditious hearing of both the notices of motion.

3. No further order needs to be passed in the appeal.

4. Appeal is disposed of accordingly.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)